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10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA-WESTERN DIVISION

12 RICKEY ALFORD,) Case No. CV 18-06211-AB (AS)
13)
14 Petitioner,) ORDER OF DISMISSAL
15)
16 v.)
17 J. GASTELO, Warden CMC - East,)
18 Respondent.)
19

20 I. BACKGROUND

21 On June 12, 2018, Rickey Alford ("Petitioner"), a California
22 state prisoner proceeding pro se, filed a Petition for Writ of
23 Habeas Corpus ("Petition") in the United States District Court for
24 the Northern District of California. (Docket Entry No. 1).¹ On
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27 ¹ Petitioner apparently has filed more than fifty actions
28 in this Court, many of which have been summarily dismissed. See Rickey Louis Alford v. Octavio C. Luna, et al., Case No. CV 12-00267-MMM (AJW); Docket Entry No. 5 at 1 n.1. This Court has

1 July 18, 2018, the action was transferred to the United States
2 District Court for the Central District of California. (Docket
3 Entry No. 8).

4
5 The Petition asserts the following grounds for federal habeas
6 relief: (1) "Petitioner has demanded films with UCLA basketball
7 team in 1974-75 winning a title"; (2) "Ku Klux Act of 1871, 42 USC
8 sec. 1979 now 1981, attacks blacks over evidence, films"; and (3)
9 "Petitioner[] produced, directed, wrote the movie 'Car Wash' and
10 soundtrack 'Rose Royal' [.]" (Petition at 5).

11
12 A Petition for Writ of Habeas Corpus can only be filed by a
13 petitioner who is in state custody and contends that such custody
14 is in violation of the Constitution, laws or treaties of the
15 United States. 28 U.S.C. § 2254(c).

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17 The claims alleged in the Petition are incomprehensible,
18 vague and conclusory. See Hendrix v. Vasquez, 908 F.2d 490, 491
19 (9th Cir. 1990) ("Summary dismissal is appropriate only where the
20 allegations in the petition are 'vague [or] conclusory' or
21 palpably incredible . . . 'or patently frivolous or
22 false.'" (citations omitted).

23
24 In addition, Petitioner has failed to allege any claim(s),
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26 summarily dismissed two habeas actions in 2018. See Rickey
27 Alford v. Jane Doe, Case No. CV 18-02097-AB (AS); Docket Entry
28 No. 8 [Order of Dismissal dated April 18, 2018]; Rickey Alford
v. Jane Doe, Case No. CV 18-00398-AB (AS); Docket Entry No. 3
[Order of Dismissal dated March 6, 2018].

1 much less any the claims which go to the fact or duration of his
2 confinement. See Preiser v. Rodriguez, 411 U.S. 475, 489 (1973).
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4 Because Petitioner does not state a claim for relief under
5 28 U.S.C. § 2254, dismissal of the Petition is warranted.
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7 **II. ORDER**
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9 ACCORDINGLY, IT IS ORDERED that the Petition be dismissed
10 without prejudice.
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12 LET JUDGMENT BE ENTERED ACCORDINGLY.
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14 DATED: August 2, 2018
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ANDRÉ BIROTTE JR.
18 UNITED STATES DISTRICT JUDGE
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21 Presented by:
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 / s /
24 ALKA SAGAR
25 UNITED STATES MAGISTRATE JUDGE
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